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July 16, 1997

William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, DC 10554

RE: CC Docket No. 96-45 - Federal-State Joint Board on Universal  
Service; New York Library Association Request for  
Reconsideration

Dear Secretary Caton:

Enclosed for filing please find an original and eleven (11)  
copies of the New York Library Association's Request for  
Reconsideration in the above-captioned docket.

Thank you.

Sincerely,

*Susan Lehman Keitel*

Susan Lehman Keitel  
Executive Director

enc. 12

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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C.

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In the Matter of )  
Federal-State Joint Board on ) CC Docket No. 96-45  
Universal Service )

**NEW YORK LIBRARY ASSOCIATION REQUEST FOR RECONSIDERATION**

The New York Library Association (NYLA) respectfully submits this request for reconsideration of the Federal Communications Commission (FCC) Report and Order CC Docket 96-45 (released May 8, 1997) (Universal Service Order), pursuant to 47 CFR '1.106.

The Universal Service Order establishes discounts for libraries based upon the eligibility for the federal reduced-price or free lunch program of the public school district in which libraries are located, adjusted for high cost areas. The ground for this decision was that the Commission concluded it would be the least administratively burdensome to use the school lunch eligibility as a measure of rural library poverty. (Order &513).

NYLA is a not-for-profit organization founded to advance the concerns of public, school, academic and special libraries in New York. NYLA has participated in this proceeding as a member of the American Library Association. We are concerned, however, that the Universal Service Order's discounts

to libraries, particularly rural libraries, will impact adversely upon our members' ability to provide advanced telecommunications services to the public.

We therefore urge the Commission to reconsider the use of federal school lunch eligibility to award discounts to rural libraries. Instead, rural libraries should be afforded a discount on this service at the maximum discount enjoyed by any library in their state. This limited recommendation would not impose a significant financial burden on the Fund and would be administratively easy to determine. It would also ensure that the libraries can take full advantage of the federal program.

Eligibility for reduced-price or free school lunches measures the poverty of families with K-12 age children. While this is the population served by schools, it is not the only population -- and in some communities not at all the population -- served by libraries. Libraries, particularly in rural areas, serve patrons of all ages who may have diverse information needs. Rural libraries serve the aged and those on fixed incomes and, in remote areas, they are the most effective link to information for this population. Such information may span health issues, business and economic concerns and intellectual and cultural inquiries. Not only do the rural libraries serve a broader population than the schools, they may make their services available far beyond school hours. Because rural libraries spend a disproportionate and, in many cases, prohibitive share of their budgets on toll expense for access to

advanced telecommunications services, this additional discount would take into account the difference in constituencies served by rural schools and libraries.

This recommendation reflects the record of the New York State Public Service Commission proceeding concerning the appropriate discounts for schools and libraries,<sup>1</sup> which was closed on June 25, 1997, after initial and reply comments were due in this proceeding.

For rural libraries, the costs of toll calling represent a disproportionate share of their operating costs. The comments of the parties in the State proceedings indicate that a greater reduction, in particular in the cost of toll service, would significantly advance access to the Internet information universally available in remote communities. For example, the Poestenkill Library, in rural Rensselaer County, writes that its annual audio/visual budget is \$6,500, while its NYNEX bill is \$1,788, approximately one-third of the acquisitions budget.

The Harrisville Free Library states that, for it, "ALL calls to connect to the Internet are long-distance, and therefore prohibitively expensive to a small, financially limited library.

However, we have installed the necessary computer for public access. Our fear, however, is the cost of the long distance connections as the patrons use the computer. These telephone costs alone could place the future of our small library in grave

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<sup>1</sup> Cases 94-C-0095, et al, Provision of Universal Service, Opinion No. 97-11 (issued June 25, 1997).

jeopardy."

The North Country Library System writes that currently 59 of its 64 member libraries cannot take full advantage of the computer services it offers because they cannot afford the telecommunications costs.

The Finger Lakes Library System commented that "The need for an inexpensive telecommunications infrastructure in the predominantly rural Finger Lakes region has grown more urgent with the introduction of the Internet, the World Wide Web, and other electronic information resources that are now available to anyone with a personal computer and modem. A dial-access account to a hub located in a distant urban center requires long distance charges that are beyond the reach of the small rural public library. A dedicated leased line for telecommunications is even a greater burden as 'per mileage' charges are assessed to distant and remote locations."<sup>1</sup>

In sum, rural libraries serve a far broader population than do the adjacent schools. A specific, limited discount for toll service, equal to the greatest discount available to any other state library, will significantly increase Internet availability in rural areas and will not impose unnecessary costs

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<sup>1</sup> Moreover, the hook-up charges for rural libraries are also prohibitive. For example, the North Country Reference and Research Resources Council of Canton, New York wrote that, in addition to the base charge for a T-1 data circuit installation, it is required to pay \$20 per mile. The Nioga Library System (Lockport, N.Y.) states that a greater discount would allow members to offer similar services being offered by libraries in neighboring and more affluent communities.

on the Universal Service Fund.

Respectfully submitted,

A handwritten signature in cursive script that reads "Susan Lehman Keitel".

Susan Lehman Keitel

Executive Director